

***United States Court of Appeals
for the Second Circuit***



**APPELLEE'S
APPENDIX**

**77-1085-
1094**

B

United States Court of Appeals

FOR THE SECOND CIRCUIT

Docket Nos. 77-1085-1094

UNITED STATES OF AMERICA,

Appellee,

—v.—

FRANK MOTEN, ANGEL RODRIGUEZ, WILLIAM HIGHTOWER, SIDNEY FOSTER, JOSEPH SAMPSON, LOIS SAMPSON, YVONNE ALVAREZ SCHENNAULT, DON WILSON, JAMES LAWS, TOMMY DAVIS, JOHN MORRIS, LAWRENCE MITCHELL, RAPHAEL BONILLA AND CHARLES COWPERS,

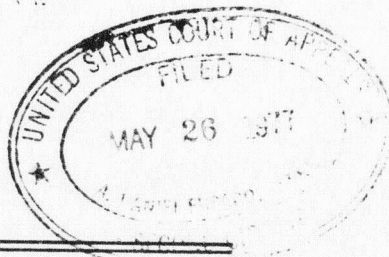
Defendants-Appellants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

APPENDIX FOR THE UNITED STATES OF AMERICA

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Southern District of New York,
Attorney for the United States
of America.*

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A 1

FLORIDA CONSPIRATORS N.Y. HOTEL AND TRANSPORTATION EXHIBITS

CONSPIRATOR	DATE	LOCATION	GOV'T EXHIBIT IN EVIDENCE
ANGEL O. RODRIGUEZ	DEC. 16-17, 1970	NEW YORK	AVIS RENTAL AGREEMENT (GX:17 A -1)
ANGEL O. RODRIGUEZ	DEC. 17, 1970	NEW YORK	SHERATON MOTOR INN (GX:16 E -1)
A. RODRIGUEZ	JAN. 5, 1971	NEW YORK	SHERATON MOTOR INN (GX:16 E -2)
ANGEL O. RODRIGUEZ	APRIL 3-4, 1971	NEW YORK	AVIS RENTAL AGREEMENT (GX:17 A -2)
NELSON ALVAREZ	APRIL 4, 1971	NEW YORK - MIAMI	AIRLINE TICKET (AMEX) (GX: 69A)
_____ RODRIGUEZ			
_____ ALVAREZ			
_____ TARIN			
ANGEL RODRIGUEZ	APRIL 26-29, 1971	NEW YORK	SHERATON MOTOR INN (GX:16 E -3)
ANGEL RODRIGUEZ	APRIL 26-29, 1971	NEW YORK	AVIS RENTAL AGREEMENT (GX:17 A -3)
JUAN ALVAREZ			
ANGEL RODRIGUEZ	JULY 23-AUG. 3, 1971	NEW YORK	SHERATON MOTOR INN (GX:16 E -4A)
ANGEL RODRIGUEZ	JULY 26-AUG. 1, 1971	NEW YORK	SHERATON MOTOR INN (GX:16 E -4B)
ANGEL RODRIGUEZ	AUG. 30-SEPT. 1, 1971	NEW YORK	SHERATON MOTOR INN (GX:16 E -5A,B,C)
ANGEL RODRIGUEZ	NOV. 12, 1971	MIAMI - NEW YORK - MIAMI	AIRLINE TICKET (AMEX) (GX: 69B)
MR. ANTONIO			
ANGEL RODRIGUEZ	JAN. 19, 1972	NEW YORK	SHERATON MOTOR INN (AMEX) (GX:16 E -6)
ANGEL RODRIGUEZ	FEB. 3, 1972	MIAMI - NEW YORK	AIRLINE TICKET (AMEX) (GX: 69C)
MR. T. ALVAREZ			
ANGEL RODRIGUEZ	FEB. 15-18, 1972	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -4)
JUAN ALVAREZ			
ANGEL O. RODRIGUEZ	JULY 26-27, 1972	NEW YORK	SHERATON MOTOR INN (GX:16 E -7)
ANGEL RODRIGUEZ	DEC. 8-11, 1972	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -5)
JUAN ANTONIO ALVAREZ	DEC. 8, 1972	MIAMI-NEW YORK - MIAMI	AIRLINE TICKET (AMEX) (GX: 69D)
ANGEL RODRIGUEZ			
A. ALVAREZ			
ANGEL RODRIGUEZ	DEC. 21, 1972	MIAMI-NEW YORK MIAMI	AIRLINE TICKET (AMEX) (GX: 69D ₂)
A. ALVAREZ	DEC. 21-23, 1972	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -6)
ANGEL RODRIGUEZ			
ANGEL O. RODRIGUEZ			
_____ ALVAREZ	DEC. 23, 1972	NEW YORK	HERTZ RENTAL AGREEMENT (AMEX) (GX: 69E)
ANGEL RODRIGUEZ	JAN. 4-10, 1973	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -7)
JUAN ANTONIO ALVAREZ			
ANGEL RODRIGUEZ	JAN. 17-20, 1973	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -8)
JUAN ALVAREZ			
ANGEL RODRIGUEZ	JAN. 31-FEB. 2, 1973	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -9)
ANGEL RODRIGUEZ	FEB. 21-25, 1973	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -10)
ANGEL RODRIGUEZ	MAR. 10-13, 1973	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -11)
ANGEL RODRIGUEZ	MAR. 26, 1973	NEW YORK	HERTZ RENTAL AGREEMENT (GX:17 A -12)
JUAN A. ALVAREZ			
ANGEL RODRIGUEZ	JULY 22, 1973	NEW YORK-MIAMI	AIRLINE TICKET (AMEX) (GX: 69F)

OUT-OF-STATE CONSPIRATORS FLORIDA HOTEL AND TRANSPORTATION EXHIBITS

CONSPIRATOR	DATE	LOCATION	GOVERNMENT EXHIBIT IN EVIDENCE
MICHAEL PARKER	JAN. 6-7, 1974	MIAMI	HOLIDAY INN (GX:16 D -1)
E. CHAPMAN	FEB. 27-28, 1974	MIAMI	HOLIDAY INN (GX:16 F -1)
YVONNE ALVAREZ	FEB. 27-28, 1974	MIAMI	HERTZ RENTAL AGREEMENT (GX:17 B -1)
BERNARD BRIGHTMAN	FEB. 26, 1974	NEW YORK-MIAMI	AIRLINE TICKET (DINERS CLUB) (GX:19A)
BERNARD BRIGHTMAN	MAR. 3, 1974	MIAMI-NEW YORK	AMTRAK TRAIN TICKET (GX:20)
FRANK MOTEN	FEB. 28-MAR. 2, 1974	MIAMI	HOLIDAY INN (GX:16 C -2)
DON WILSON	MAR. 29-APR. 4, 1974	CORAL GABLES	HOLIDAY INN (GX:16 G-1)
S. CHAPMAN	APRIL 1-2, 1974	MIAMI	HOLIDAY INN (GX:16 F -2)
YVONNE ALVAREZ	APRIL 1-2, 1974	MIAMI	HERTZ RENTAL AGREEMENT (GX:17 B -2)
MICHAEL PARKER	APRIL 2-4, 1974	MIAMI	MARIOTT HOTEL (GX:16 D-2)
S. CHAPMAN	APRIL 22-23, 1974	MIAMI	HOLIDAY INN (GX:16 F -3)
YVONNE ALVAREZ	APRIL 22-24, 1974	MIAMI	HERTZ RENTAL AGREEMENT (GX:17 B -3)
FRANK MOTEN	APRIL 26-27, 1974	MIAMI	MARIOTT HOTEL (GX:16 C -3)
DON WILSON	MAY 10-11, 1974	MIAMI	MARIOTT HOTEL (GX:16 G -2)
BERNARD BRIGHTMAN	MAY 11-12, 1974	MIAMI	MARIOTT HOTEL (GX:16 A -1)
YVONNE ALVAREZ	MAY 22, 1974	MIAMI	HERTZ RENTAL AGREEMENT (GX:17 B -4)
S. CHAPMAN	JULY 31, 1974	MIAMI	MARIOTT HOTEL (GX:16 F -4)
S. CHAPMAN	AUG. 15-16, 1974	MIAMI	MARIOTT HOTEL (GX:16 F -5)
MICHAEL PARKER	SEPT. 7-8, 1974	MIAMI	MARIOTT HOTEL (GX:16 D -3)
S. CHAPMAN	SEPT. 9-11, 1974	MIAMI	MARIOTT HOTEL (GX:16 F -6)
BERNARD BRIGHTMAN	SEPT. 16-18, 1974	MIAMI	MARIOTT HOTEL (GX:16 A -2)
DON WILSON	OCT. 21-23, 1974	MIAMI	MARIOTT HOTEL (GX:16 G -3)

G x 150

CALLS FROM TELEPHONES LISTED TO FRANK MOTEN

MOTEN'S PHONE TOLLS

3 201-567-2497 (GX: 60,96)
Nov.-Dec., 1972

1 201-567-8460 (GX: 62,63,96)
Dec. 1971
Feb. 1972
Aug.-Sept., 1972

212-283-6845 (GX: 61,103)
Aug.-Nov., 1972

212-666-8123 (GX: 40,95)
ULTRA-O-RAY
CLEANERS
2069 7th Ave. Corp.
(MOTEN'S LAUNDROMAT)
Jan., 1970 through
July, 1974

JANET JORDAN
(Jack Brown's Home
180 West End)
212-787-8084 (GX: 32A)
27 TIMES
Dec. 1, 12, 19, 20, 22, 24, 1971
Jan. 2, 10, 11, 13, 14, 15, 16, 19, 23, 25, 1972
Feb. 1, 6, 12, 19, 1972
Sept. 14, 22, 1972
Nov. 28, 1972

JANET JORDAN
(Jack Brown's Home
180 West End)
212-787-3659 (GX: 32A)
11 TIMES
Dec. 19, 1971
Jan. 11, 14, 21, 1972
Sept. 5, 8, 10, 12, 18, 26, 1972
Nov. 5, 1972

JOANNE BROWN
212-873-4575 (GX: 58)
1 TIME
Feb. 6, 1972

CAROLYN WEST
(CAROL CUFFEE)
212-799-9804 (GX: 86)
3 TIMES
Dec. 6, 10, 13, 1972

SEBASTIAN
INTERSIMONE
914-626-7780 (GX: 89)
1 TIME
April 4, 1972

RE. and ELAINE
PARKER
301-336-8249 (GX: 10)
1 TIME
May 12, 1974

JASON GIFTS INC.
(NAT MIZRACHI)
305-371-5963 (GX: 102)
1 TIME
March 11, 1974

SYLVIA ROSS

201-923-1772 (GX: 88)
1 TIME
June 1, 1972

BERNARD
BRIGHTMAN, INC.
(HANDBAGS)
212-725-1688 (GX: 83)
3 TIMES
Nov. 29, 1972
Dec. 6, 1972

BERNARD
BRIGHTMAN
201-567-1658 (GX: 39A)
7 TIMES
Sept. 20, 1972
May 4, 1970
Dec. 8, 1971
May 24, 1972
Nov. 4, 1972

HANNAH
FREEMAN
212-690-8034 (Tr. 6020)
5 TIMES
Dec. 8, 24, 1971
Sept. 16, 1972

MARION LADD
212-787-2715 (Tr. 176)
1 TIME
Feb. 3, 1972

JOHN MORRIS
212-866-3936 (GX: 32A)
6 TIMES
Dec. 19, 20, 1971
Jan. 8, 1972
Feb. 2, 3, 4, 1972

MITCHELL & SON
TEXACO STATION
201-836-9892 (GX: 93)
1 TIME
Sept. 1, 1972

J.W.C. CORP.
(WILLIAM WOMACK)
609-697-2880 (GX: 65)
24 TIMES
April 26, 1971
June 10, 1971
Sept. 28, 1971
Nov. 20, 1971
Dec. 24, 1971
Jan. 23, 25, 26, 1972
Feb. 6, 9, 10, 26, 27, 1972
Feb. 28, 1972
Mar. 16, 28, 1972
May 13, 23, 24, 1972
June 19, 1972

GK 151

CALLS FROM TELEPHONES USED BY JACK BROWN

BROWN'S PHONE TOLLS

212-873-4575 (GX:56)
JOANNE BROWN
Jan.-April, 1972

914-359-7346 (GX:54,90)
168 Cowpens Lane
Orangeburg N.Y.
Aug.-Oct. 1973

305-379-5821 (GX:55A,
55B,104)
305-373-5225
KEN WOODMAN
Sept.-Nov. 1974

212-479-6580 (GX:64,99)
LOUISE SANFORD
March-April, 1975

SEBASTIAN
INTERSIMONE
914-626-7780 (GX:89)
6 TIMES
April 6, 1972
Sept. 25, 1974
Nov. 4, 8, 9, 1974
March 30, 1975

FRANK MOTEN
201-567-8460 (GX:98)
7 TIMES
March 1, 11, 1972
April 5, 1972
Oct. 23, 1974
March 7, 1975

J.W.C. CORP.
(WILLIAM WOMACK)
609-697-2880 (GX:65)
6 TIMES
Jan. 5, 24, 1972
Feb. 4, 10, 19, 1972

R.E. and ELAINE
PARKER
(MICHAEL PARKER)
301-336-8249 (GX:110)
6 TIMES
Jan. 20, 1972
April 1, 2, 12, 20, 1972

ANGEL
RODRIGUEZ
305-822-9928 (GX:1744)
3 TIMES
Feb. 8, 1972
March 11, 12, 1972

FRANK MOTEN
201-567-2497 (GX:96)
13 TIMES
Sept. 12, 27, 28, 1973
Oct. 9, 1973
Sept. 26, 28, 29, 1974
Oct. 23, 1974
Nov. 9, 10, 12, 1974
March 9, 1975

BERNARD
BRIGHTMAN
201-569-2843 (GX:82)
3 TIMES
Aug. 18, 24, 1973
Sept. 14, 1973

MICHAEL PARKER
301-350-5339 (GX:109)
13 TIMES
Oct. 22, 23, 1974
Nov. 1, 2, 4, 5, 6, 7, 1974
March 10, 12, 1975
April 15, 1975

ANGEL
RODRIGUEZ
305-445-8344 (GX:98)
1 TIME
March 5, 1975

ULTRA-O-RAY
CLEANERS
2069 7th Ave. Corp.
(MOTEN'S LAUNDROMAT)
212-666-8123 (GX:95)
4 TIMES
Sept. 11, 25, 27, 28, 1974

BERNARD
BRIGHTMAN
201-569-2467 (GX:82)
1 TIME
Sept. 25, 1973

L.J. MITCHELL
201-692-1086 (GX:92)
10 TIMES
Feb. 16, 17, 23, 1972
March 1, 11, 18, 21, 1972
April 6, 27, 1972
Aug. 17, 1973

YVONNE
ALVAREZ
312-221-0626 (GX:84)
14 TIMES
Sept. 5, 25, 29, 1974
Nov. 2, 3, 4, 5, 7, 8, 9, 12, 1974
March 11, 1975

JASON GIFTS, INC.
(NAT MIZRACHI)
305-371-5963 (GX:102)
3 TIMES
March 12, 13, 28, 1975

MARION
DUNMORE
212-722-0705 (GX:106)
3 TIMES
Nov. 10, 11, 12, 1974

G x 152

CALLS FROM TELEPHONE USED BY WILLIAM WOMACK

WOMACK'S PHONE TOLLS

5

11

609-697-2880 (GX:65)

J.W.C.CORP.

February, 1971-

May, 1972

FRANK MOTEN
201-567-8460 (GX:96)
80 TIMES

1971 | Apr. 18
May 2, 7, 8, 9
June 15, 20, 30
Sept. 7, 14, 17, 19, 26
Oct. 10, 11, 12, 14, 15, 19, 25, 29
Nov. 4, 13, 19, 25
Dec. 6, 7, 10, 11, 13, 15, 19, 21

1972 | Jan. 4, 5, 17, 20, 21, 23, 24, 25, 31
Feb. 6, 8, 9
Mar. 9, 10, 11, 12, 13, 24, 26, 27
Apr. 13, 20, 22, 24, 26, 29, 30
May 1, 6, 13, 14, 15

MARION LADD
212-787-2715
212-787-2716 (Tr. 414)
4 TIMES
1971 | Sept. 21, 22

JANET JORDAN
(JACK BROWN'S HOME
180 WEST END)
212-679-5977 (GX:4B)
2 TIMES
1971 | July 4, 5

JOANNE BROWN
212-873-4575 (GX:56)
19 TIMES

1971 | Apr. 15
May 3
June 29
July 1, 2, 3, 4
Aug. 8
Sept. 9, 11
Dec. 20, 22, 30

1972 | Jan. 2, 5
Mar. 11, 27
May 6

JOANNE BROWN
212-874-4973 (GX:133,147)
6 TIMES

1971 | Feb. 19, 22
Mar. 4, 6, 29

SOLON GLAZE
914-699-8703 (GX:88A)
4 TIMES
1971 | Sept. 19, 22

J.P. MORGAN
215-849-2673 (GX:94)
49 TIMES

1971 | Feb. 20
Mar. 1, 20, 28
Apr. 2, 3, 4, 5, 6, 8, 14
May 1, 2, 6, 7, 14, 18,
21, 22, 29, 31
June 5, 13, 19, 20
July 15, 24, 29
Sept. 29
Oct. 4, 15, 16, 17, 31
Nov. 25
Dec. 19, 23

1972 | Jan. 23
Feb. 2, 5, 8, 28
Apr. 15

JOHN MORRIS
212-866-3936 (GX:32A)
6 TIMES

1971 | Sept. 14, 17, 22, 25
Oct. 12, 14

JOHN MORRIS
212-884-9662 (GX:39E)
1 TIME
1971 | Sept. 7

JANET JORDAN
(JACK BROWN'S HOME
180 WEST END)
212-787-8084 (GX:32A)
130 TIMES

1971 | Feb. 19, 22, 28
Mar. 1, 2, 3, 6, 10, 30
Apr. 1, 2, 3, 4, 5, 6, 8, 9, 10, 12,
13, 14, 15, 16, 19, 23, 25
May 1, 2, 5, 13, 14, 16, 18, 19, 20,
21, 22, 24, 25, 26
June 3, 5, 14, 17, 23, 24
July 10, 18, 24, 29
Aug. 6, 8, 30, 31
Sept. 1, 7, 8, 9, 11, 21, 23
Oct. 10, 14, 15, 18, 23, 29, 30, 31
Nov. 1, 3, 13, 14, 16, 17, 18, 20,
23, 26, 27, 30
Dec. 1, 3, 5, 7, 12, 15, 18, 19, 20,
23, 24, 29, 31

1972 | Jan. 4, 5, 7, 8, 10, 17, 23, 30
Feb. 28
Mar. 9

CALLS FROM TELEPHONE USED BY JOSEPH and LOIS SAMPSON

SAMPSONS' PHONE TOLLS

301-593-5583 (GX:44M)

September, 1972 -

August, 1973

JANET JORDAN
(JACK BROWN'S HOME
180 WEST END)
212-787-8084 (GX:32A)
50 TIMES

1972 | Sept. 17, 18, 19, 20, 24
25, 28, 30
Oct. 2, 3, 4, 6, 7, 9, 10, 19, 20,
21, 22, 26, 27, 28, 31
Nov. 9, 10, 22, 24, 25, 28, 30
Dec. 7, 11

JANET JORDAN
(JACK BROWN'S HOME
180 WEST END)
212-787-3659 (GX:32A)
39 TIMES

1972 | Sept. 25, 26, 29, 30
Oct. 10, 11, 19, 20, 21, 22,
23, 24, 25, 26, 27,
28, 29, 30
Nov. 1, 2, 9, 10, 11, 18, 20, 21, 24

A.J. BROWN
(JACK BROWN'S
ORANGEBURG HOME)
914-359-5949 (GX:108)
5 TIMES

1973 | Mar. 14, 27
April 13, 14

CAROLYN WEST
(CAROL CUFFEE)
212-799-9804 (GX:85)
4 TIMES
1972 | Dec. 9, 10
1973 | Mar. 21
April 13

HANNAH FREEMAN
212-690-8034 (Tr. 6028)
1 TIME
1972 | Oct. 1

JOANNE BROWN
212-873-4575 (GX:56)
10 TIMES
1972 | Sept. 17, 18, 19, 25, 28, 30
Oct. 1

JOANNE BROWN
212-749-5658 (GX:67)
13 TIMES
1973 | May 23, 26, 27, 28
June 2, 9, 13, 15

HELEN FRAZIER
(ANN REYNOLDS)
212-992-7494 (GX:97)
23 TIMES

1972 | Sept. 17
Oct. 2, 4, 9, 19, 21
Nov. 12, 24
1973 | Mar. 16, 31
Apr. 6, 13, 16, 20, 21, 22, 24
May 5, 10
Aug. 5

A.J. BROWN
(JACK BROWN'S
ORANGEBURG HOME)
914-359-5964 (Tr. 1321)
36 TIMES

1973 | Mar. 15, 16, 17, 18, 19, 20,
21, 22, 23, 24, 27
28, 29, 30, 31
Apr. 2, 5, 7, 13, 14, 19

WILLIAM
HIGHTOWER
301-585-7906 (GX:6G)
2 TIMES
1973 | Apr. 6

Gx 154

CALLS FROM TELEPHONE LISTED TO **DON WILSON**

WILSON'S PHONE TOLLS

803-773-6418 (GX:65B)
May, 1975 -
January 1976

W. BROWN

(120 WEST 97th. St.)

212-749-5603 (GX:105)

40 TIMES

1975 | May 17, 25
June 1, 29
July 12, 17, 20, 25, 26, 30
Aug. 2, 9, 15, 17, 19, 20, 21, 23
Sept. 24
Oct. 6, 29
Nov. 4, 7, 13, 23, 27
Dec. 6, 12, 18, 19, 25, 31

1976 | Jan. 1, 2, 3

R.E. & ELAINE PARKER

(MICHAEL PARKER)

301-336-8249 (GX:110)

6 TIMES

1975 | July 30
Aug. 2
Sept. 25
Dec. 20

CAROLYN WEST

(CAROL CUFFEE)

212-799-9804 (GX:85)

2 TIMES

1975 | July 13
Aug. 15

ULTRA-O-RAY CLEANERS

2069 7th. Ave. Corp.

(MOTEN'S LAUNDROMAT)

212-864-9050 (GX:95)

1 TIME

1976 | Jan. 15

CALLS FROM TELEPHONES LISTED TO BERNARD BRIGHTMAN

BRIGHTMAN'S PHONE TOLLS

∞ 201-567-1658 (GX:57)
Oct. 1972 - Mar. 1973

Δ BERNARD BRIGHTMAN Inc.
(HANDBAGS)
212-725-1688 (GX:58,83)
Dec. 1972 - Mar. 1973

212-679-6481 (GX:59,107)
Oct. 1975 - Mar. 1976

ULTRA-O-RAY CLEANERS

2069 7th. Ave. Corp.
(MOTEN'S LAUNDROMAT)
212-666-8123 (GX:95)
5 TIMES
1972 - Nov. 4 Dec. 2
1973 - Mar. 3, 13

A. J. BROWN
(JACK BROWN'S
ORANGEBURG HOME
914-359-5964 (Tr. 132))
50 TIMES

1973 Jan. 9, 10, 12, 16, 20, 27
Feb. 2, 3, 7, 9, 10, 11
15, 17, 19, 20, 21, 22
Mar. 13, 19, 20, 25, 26

1973 Jan. 2, 3, 12, 16, 18
Feb. 1, 6, 21, 22

FRANK MOTEN

201-567-2497 (GX:96)

22 TIMES

1973 Jan. 2, 16, 18, 24 x*
Feb. 15, 21
Mar. 2, 5, 9, 12

1976 Feb. 5, 18
Mar. 1, 2, 9, 12, 15

FRANK MOTEN

201-567-2817 (GX:96)

3 TIMES

1976 - Mar. 5, 8, 14

* X REFERS TO UNDATED CALL

Gx 156

CALLS FROM TELEPHONE LISTED TO **SEBASTIAN INTERSIMONE**

INTERSIMONE'S PHONE TOLLS

914-626-7780 (GX:65C,89)

Jan.-Nov. 1973

JACQUELINE
JENNINGS
(JACK BROWN'S
ORANGEBURG HOME)

914-359-7346 (GX:90)

4 TIMES

1973 | Sept. 4
| Oct. 11
| Nov. 14

CAROLYN WEST
(CAROL CUFFEE)

212-799-9804 (GX:85)

2 TIMES

1973 | May 13
| June 4

A.J. BROWN

(JACK BROWN'S
ORANGEBURG HOME)

914-359-5964 (Tr. 1321)

5 TIMES

1973 | Jan. 31
| Feb. 13
| Mar. 24, 25

FRANK MOTEN

201-567-2497 (GX:96)

1 TIME

1973 | July 24

GX:178

CALLS FROM TELEPHONES USED BY JACK BROWN

BROWN'S PHONE TOLLS

(GX:164)

914-359-5964 (Tr. 1321)

A.J. BROWN

(JACK BROWN'S
ORANGEBURG HOME)
Dec. 1972 - Jan. 1973

914-359-5949 (GX:108)

A.J. BROWN

(JACK BROWN'S
ORANGEBURG HOME)
Dec. 1972 - Feb. 1973

212-873-4575 (GX:56)

JOANNE BROWN

Apr. 1972 - Sep. 1972

212-787-3659 (GX:32A)

JANET JORDAN

(JACK BROWN'S HOME
180 WEST END AVE., N.Y., N.Y.)
Jun. 1972 - Aug. 1972

212-787-8084 (GX:32A)

JANET JORDAN

(JACK BROWN'S HOME
180 WEST END AVE., N.Y., N.Y.)
Jun. 1972 - Aug. 1972

BERNARD BRIGHTMAN

201-567-1658 (GX:39A)

5 TIMES

1973 Jan. 3, 6, 10

1973 Jan. 21, 22

FRANK MOTEN

201-567-2497 (GX:96)

32 TIMES

1972 Dec. 13, 14, 15, 16, 18, 19

1973 Jan. 2, 3, 4, 6, 7, 8, 9, 10, 13

1972 Dec. 20

1973 Jan. 4, 5, 6, 12, 16, 21, 26, 29

MITCHELL & SON TEXACO STATION

201-836-9892 (GX:93)

6 TIMES

1972 Dec. 30

1972 Dec. 26

1972 July 13, 19

1972 July/Aug. X, X

HANNAH FREEMAN

212-690-8034 (Tr. 6028)

8 TIMES

1972 Dec. 20, 23

1973 Jan. 3

1972 Dec. 23

1973 Jan. 4, 12, 26

CAROLYN WEST (CAROL CUFFEE)

212-799-9804 (GX:85)

91 TIMES

1972 Dec. 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31

1973 Jan. 1, 2, 3, 4, 6, 7, 8, 9, 10, 13

1972 Dec. 18, 23, 26

1973 Jan. 3, 5, 6, 8, 9, 10, 11, 12, 13, 16, 18, 20, 22, 25, 26
Feb. 1, 12

WILLIAM HIGHTOWER

301-585-7906 (GX:66)

1 TIME 1973 Feb. 13

J.W.C. CORP. (WILLIAM WOMACK)

609-697-2880 (GX:65)

2 TIMES

1972 Apr. 14; May 27

J.P. MORGAN

215-849-2673 (GX:94)

3 TIMES

1972 Dec. 17 1973 Jan. 1

1972 July/Aug. X

JOSEPH and LOIS SAMSON

301-593-5533 (GX:411A)

13 TIMES

1972 Dec. 16, 21, 22, 25, 31 1973 Jan. 4, 5, 13

1973 Jan. 4, 12, 14; Feb. 11

1972 May 21; Jun. 28

1972 June/July X

FRANK MOTEN

201-567-8460 (GX:96)

17 TIMES

1972 July 1

1972 May/June XX

July/Aug. X

1972 Jun/July XXXXXXXXXX

July/Aug. XX

L.J. MITCHELL

201-692-1086 (GX:92)

32 TIMES

1972 Dec. 20, 23, 27, 28, 30

1973 Jan. 5, 6, 7, 10, 13, 15

1972 Dec. 26, 29, 31

1973 Jan. 8, 10, 12, 13, 14, 16, 26

Feb. 12

1972 May 11; July 2

1972 July/Aug. X 1972 July/Aug. XX

HELEN FRAZIER

(ANN REYNOLDS)

212-932-7484 (GX:97)

9 TIMES

1972 Dec. 29 1972 Dec. 28

1973 Jan. 8, 14 1973 Jan. 28

Feb. 12, 14

SEBASTIAN INTERSIMONE

914-626-7780 (GX:89)

4 TIMES

1972 Dec. 13

1972 May 18

Aug. 27, 29

ULTRA-O-RAY CLEANERS

2069 7th AVE. CORP.

(MOTEN'S LAUNDROMAT)

212-666-8123 (GX:95)

3 TIMES

1972 Dec. 18

1973 Jan. 12, 15

ANGEL RODRIGUEZ

305-823-6150 (GX:17A5)

6 TIMES

1973 Jan. 16

1972 June 7; July 1, 19; Aug. 27

R.E. and ELAINE PARKER

(MICHAEL PARKER)

301-336-8249 (GX:110)

22 TIMES

1973 Jan. 7, 9, 14

1972 Dec. 26 1973 Feb. 6, 11

1972 May 6, 7, 27; Jun. 24, 25, 26, 28, 30

July 23, 29; Sept. 3

1972 May/June X, June/July X

July/Aug. X

GX:179

CALLS FROM TELEPHONE USED BY
L.J. MITCHELL

MITCHELL'S
PHONE TOLLS
(GX:165)

201-692-1086 (GX:92)
July 1972-May 1973

OLON GLAZE
212-749-5642 (GX:32A)
12 TIMES

1972 Aug 24
Oct 21, 31
1973 Feb 2, 5, 7, 10, 23
Mar 22, 25
Apr 1

JOHN MORRIS
212-866-3936 (GX:32A)
85 TIMES

1972 July 14
Aug 2
Sept 15, 21, 23
Oct 9, 14, 15, 16, 20, 21, 22, 23, 24, 26, 27, 28, 30, 31
Nov 2, 4, 5, 12, 24, 26, 28, 30
Dec 2, 3, 11, 16, 20, 22, 23, 25, 27
1973 Jan 1, 2, 3, 11
Feb 1, 2, 5, 15, 16, 18, 22, 26
Mar 3, 5, 6, 8, 9, 10, 12, 25, 26, 27, 29, 30
Apr 5, 9, 18
May 9

CAROLYN WEST
(CAROL CUFFEE)
212-799-9804 (GX:85)
8 TIMES

1973 Jan 11
Feb 27
Mar 6, 23
Apr 5

A.J. BROWN
(JACK BROWN'S
ORANGEBURG HOME)

914-359-5964 (Tr: 1321)
23 TIMES

1972 Dec 31

1973 Jan 1, 6, 7, 9, 10, 12, 13, 15
Feb 4, 13, 25
Mar 2, 11, 17, 24
Apr 3

OLON GLAZE
914-698-8703 (GX:88A)
11 TIMES

1972 Oct 12, 27
Dec 5, 25

1973 Jan 15
Mar 10
Apr 9

**ULTRA-O-RAY
CLEANERS**

2069-7th AVE. CORP.
(MOTEN'S LAUNDROMAT)
212-864-9050 (GX:95)
1 TIME

1972 Sept 1

JANET JORDAN
(JACK BROWN'S HOME
180 WEST END AVE., N.Y., N.Y.)
212-787-8084 (GX:32A)
7 TIMES

1972 Aug 9
Sept 2, 8, 9, 18
Oct 3

GX:180

CALLS FROM TELEPHONES USED BY SOLON GLAZE

GLAZE'S
PHONE TOLLS (GX:163)

914-699-8703 (GX:88A)
Mar., Apr., May, July 1972

914-699-8638 (GX:32A)
Dec. 1972, May 1972, July 1972
Jan. 1973

212-749-5642 (GX:32A)
Apr. 1972 - Aug. 1972

L.J. MITCHELL
201-692-1086 (GX:92)

16 TIMES

1972 | Apr. 16

1973 | Jan. 13

1972 | Apr./May XX

May/June XXX

June/July XXXXX

July/Aug. X

J.W.C. CORP.

(WILLIAM
WOMACK)

609-697-2880 (GX:65)

1 TIME

1972 | June/July X

MITCHELL & SON
TEXACO STATION

201-836-9892 (GX:93)

4 TIMES

1972 | July 5

1972 | Dec. 3, 5

1972 | June/July X

JURY FORELADY POST-TRIAL LETTER TO CHIEF JUDGE KAUFMAN
(pages A-13 to A-15)

A 13

372 Central Park West
New York City, N.Y. 10025

November 27, 1976

Hon. Irving Kaufman
Chief Judge United States Court of Appeals
Poley Square, N.Y., N.Y. 10007

Dear Judge Kaufman:

I served as forewoman of the jury for the trial which began August 10 and ended November 12, 1976 charging 22 defendants with involvement in a federal narcotic conspiracy, in the court of Judge Owen.

I entered into the role of juror with innocence, curiosity and concern regarding our judicial system.

I was forced as a juror under the prevailing law to arrive at a verdict of guilty or not guilty based on the evidence presented which effected the lives of 22 human beings. I feel it was virtually impossible to arrive at a fair and just verdict for those 22 people, bound and tried together for three months under the existing rules, conditions and laws which I was obliged to abide by.

I demanded of myself and the others of the jury an open mind with total freedom of expression to the very last moment. Until the end, I hoped to find flares of truths from my fellow jurors to confirm and determine my judgement.

I expressed to them, the injustice of rushed conclusions and conveyed my dilemma in regard to the remembrance of such an abundance of facts, data, witnesses and evidence, as well as my inability to cope with the enormity of the task of gathering sufficient and adequate details of information.

I experienced mental incarceration and felt dehumanized, stifled, deprived, confined, restricted and frustrated during the three months of the trial. Under these conditions, could I have pursued my search for truth and justice to the fullest extent? I am deeply disturbed, pained and anguished.

I abhor and object to the procedure that presented to me, a juror, bits, pieces and fragments of the evidence presumed to be true, while being denied the whole truth concerning this evidence, which was withheld and known by other members of the court. I resented the side bars.

The overlapping of information, superimposing, crisscrossing of layers of facts juxtaposed in normal and legal language, led to confusion. During the deliberation, after requests to hear portions of the transcript read, upon our return to the jury room memories occasionally differed. I would have wanted the transcript in the jury^{room} to refer to constantly over and over, if need be.

The demeanor of the witnesses and impressions, I took notice of, often were wasted away by the magnitude of the trial. No asking of questions were allowed during the trial. When I was most apt to have a thought of inquiry, it was at times lost into oblivion and forgotten from my mind thereafter.

When^I asked if we could take notes, I was told no. I accepted this as law. When^I asked if during the verdict the jury or myself as forewoman could have the privilege of some expression, I was also told no.

How can I, as a juror, pass judgement without having the opportunity to confer with all others involved in the case who presumably are seeking the truth.

Is the jury considered so incapable, so incompetent of judgement if presented with all or more of the known truths and facts

rather than prepared and selected portions of the supposed truths and facts, that they cannot arrive at an objective conclusion? Are the defense lawyers and prosecutors above the jury in judgement on the one hand and yet the jury's word is ultimate? We are not permitted to judge the whole and yet we are asked to pass judgement as to the guilt or innocence of the defendants dealing with this whole while given only particles of the evidence. At the same time, we carry with us the burden of deciphering these parts which may or may not be the whole truth. The possible birth and flowering of complete justice is hereby denied.

I respect my common sense fervently and was asked to use it in passing judgement. How could I, ^{when I} personally needed the time to digest and assimilate ^{even} the limited facts presented to me?

I did not know my legal rights. Knowing, I had to pass judgement on the 22 defendants being tried simultaneously, did I have the legal right to object? I never knew clearly what my rights as a juror were and felt if I went beyond the range of what I was informed of as my rights, I might be charged with transgressing my authority as juror.

As a juror, I feel guilty, because I did not know how to object and speak my mind in the court room as I did in the jury room

I, urge, as a citizen and juror, that steps be taken to rectify this miscarriage of justice.

Respectfully yours,

Isabelle Blau

Isabelle Blau

A 16

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK
FOLEY SQUARE
NEW YORK, NEW YORK 10007

RICHARD OWEN
JUDGE

December 8, 1976

Miss Isabelle Blau
372 Central Park West
New York, New York 10025

Dear Miss Blau:

Chief Judge Kaufman has sent me your letter of November 27, and I am distressed to learn of your feelings. I gather that the essence of your dissatisfaction is that the rules of evidence kept facts from you that you feel you should have had before you for consideration, and that you would have liked more time for deliberation.

I am sure you will agree that it is essential in every case that all the parties receive a "fair trial" on the issues presented. Thus, you, the jury, should have before you only relevant and probative facts to consider. One of my responsibilities as a trial judge is to screen proposed evidence and exclude such matters as, in my judgment, would not assist you in arriving at your verdict but could only serve to prejudice you in your consideration of the case. In this regard, you mention resenting the side bar conferences. Those were generally to determine whether or not a risk of prejudicial or inadmissible hearsay evidence was in the offing. Now that the trial is over, I am free to observe to you that side bar conferences frequently involved separating appropriate evidence bearing on the charges from evidence that might suggest a defendant's prior conviction for narcotics violations or involvement in other criminal activity. Such evidence could have strongly, adversely, and improperly influenced a juror's assessment of a defendant's conduct on these narcotics charges. Each defendant on this trial was entitled to be judged on the facts involved in this charge alone, uninfluenced by such things as a prior criminal record.

As an example, you may recall testimony as to a certain defendant being "away from New York" for a certain period of time. This phraseology was worked out between counsel and the Court to enable a defendant to explain an absence at a particular time without revealing to you that, in fact, that defendant was in prison at that time.

Miss Isabelle Blau:

December 8, 1976

In sum, the rules of evidence in criminal cases are designed not only to permit to the fullest extent possible relevant evidence to be adduced for consideration by the jury, but they are also designed to exclude from the jury's consideration matters which are unduly prejudicial and of slight, if any, relevance.

As to your concern that you did not have sufficient time over the six days of deliberation to perform your service as a juror in a manner which satisfied you, I am sorry that you have that feeling. I was not aware nor made aware at the time of such concern on any juror's part in this case. Indeed, I and lawyers in the courtroom were highly gratified at the careful concern that the jury gave to the testimony and exhibits and the specificity with which you requested the reading of testimony as you considered the various charges of the indictment. While the evidence was extensive in terms of the time taken to receive it, it was relatively limited in subject matter and had been, I thought, excellently reviewed for you by eight days of attorneys' summations and by you in your six days of deliberations. Also, I trust, the Court's marshaling was of some assistance.

From my vantage point, I believe you can feel complete satisfaction in the carefulness of the performance of your duties by you and your colleagues. This is evident from the clear distinctions you made as to certain defendants and certain charges and the fact that after obviously lengthy and careful consideration of the issues, various of your number conscientiously maintained differing views as to one defendant on all charges and another defendant on certain counts, while finding the latter defendant guilty on other counts. All of this I regard as being in the highest traditions of jury service.

I trust that these remarks in some measure are a fair answer to your sincere and troubled letter.

Yours very truly,

Richard D. ...

SECOND POST-TRIAL LETTER BY JURY FORELADY
(pages A-18 to A-19)

372 Central Park West
New York City, N.Y. 10025
DECEMBER 18
1976

Judge Richard Owen
United States District Court
Foley Square, N.Y.C. 10007

Dear Judge Owen:

I wish to express my profound concern and disappointment regarding your considerate answer to my letter dated Nov. 27, concerning the trial I served as juror, charging 22 defendants with a federal narcotic conspiracy. Your letter has caused me great disturbance.

The way the judicial system appears to me now, is that not only is it impossible to achieve justice under the existing court rules for the jury but that justice may have failed to have been achieved in the past, and even worse, if steps are not taken immediately, at this very moment, a miscarriage of justice may be taking place anywhere under our system, which was founded on the concept of liberty and justice for all.

To make this more specific, I have listed a number of non-functional discrepancies in the jury system as I experienced it as forewoman of a jury.

The transcript was available to others of the court for their own purposes. We, the jury, also needed to read and evaluate the transcript for ourselves yet were refused access to it at any time. It was the jury's obligation to pass judgement on the defendants, based on the evidence contained in the transcript. This was the law.

The fact that I could not take down notes during the trial, added to the fact that the transcript could not be brought into the jury room, prevented an easy referral on my part especially, during the deliberation of facts that could not be specifically remembered amidst the crossfire and disagreements of jurors' opinions. Points contained in the transcript would have clarified the issues for me and enabled me to refute or confirm the more definite recall of other jurors. Instead of this, I was,....forced to base my conclusions, as I was advised to, on my best recollections, which in my opinion were not adequate under the prevailing conditions. Ultimately, I was compelled to go along with the opinions of the other jurors.

The issue here is one of court procedure which in my estimation made it impossible for me to arrive at my own just verdict under the existing conditions especially, but not only because of, but also due to a multitude of 22 defendants being tried together.

For this reason, when any of the defendants appeal their conviction through the court, in my estimation, they should have that right in the light of what I have herein stated concerning the jury procedure. Since, I, a juror, was prevented from issuing a just and unbiased verdict following my own conscience, that right to appeal is self-evident.

I am awaiting an immediate reply to this letter because what is at stake here is more important than myself or the procedure of the court. The American system of justice is herewith on trial.

Respectfully yours,

Isabelle Blau
Isabelle Blau

IN THE CASE OF USA LAWRENCE JOSEPH MITCHELL SDNY
AT NEW YORK LOCATION NUMBER 32501

PROCEEDING (describe briefly)
ASSIGNMENT OF COUNSEL AFTER INDICTMENT

CHARGE/OFFENSE (describe if applicable & check box) ☒ Felony ☐ Misdemeanor
Narc. 21 USC# - 812
U.S. or other code citation

PERSON REPRESENTED (Show full name & status, & check box)
LAWRENCE JOSEPH MITCHELL
Name already appears as ☐ Pt or as ☒ Of above

COURT ORDER

☒ APPOINTING COUNSEL
☐ SATISFYING PRIOR SERVICE
☐ EXTENDING APPOINTMENT FOR APPEAL
☐ SUBSTITUTING COUNSEL FOR:
(name of prior counsel) (date appt'd.)

Because the above named "person represented" has testified under oath or has otherwise satisfied this court that he or she: (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney or organization printed here and below

Is hereby appointed to represent this person in the above designated case.
If appointment is made by a magistrate and the case subsequently proceeds to U.S. District Court, the appointment shall remain in effect until terminated or a substitute attorney is appointed.
The attorney or organization herein appointed is authorized to claim reimbursement on this form, subject to applicable law, administrative regulations, and the plan of the court.

Signature of U.S. Judge or magistrate
Martin D. Jacob Date 5-20-76
OR BY ORDER OF THE COURT
(Clerk or Deputy)

CERTIFICATIONS OF ATTORNEY/PAYEE
Has compensation and/or reimbursement for work in this case been previously applied for or claimed? ☒ Yes ☐ No
If yes, how much were you paid? \$
By whom were you paid?
Has a fee been received by you or someone for work in this case? ☐ Yes ☒ No

SIGNATURE OF ATTORNEY/PAYEE Sidney M. Offer DATE Sept. 15, 1976
I SOLEMNLY AFFIRM THE TRUTH & CORRECTNESS OF ABOVE STATEMENTS

APPROVED FOR PAYMENT
SIGNATURE OF JUDGE/MAGISTRATE Ru DATE 9/27/76
SIGNATURE OF CHIEF JUDGE COURT OF APPEALS JK DATE 10/27/76

COUNSEL ☒ IS A PRIVATE ATTORNEY
IS FURNISHED BY: ☐ COMMUNITY DEFENDER ORGANIZATION
☐ BAR ASSOCIATION OR LEGAL AID AGENCY
PHONE NO. 661 8464
SOCIAL SECURITY NO. 087 32 7422

ATTORNEY ORGANIZATION
ADDRESS
SIDNEY M. OFFER, Esq.
415 Lexington Avenue
New York, New York 10017
ZIP CODE

DOCKET NUMBERS
Magistrate 76
District Court 76 CR 324
Court of Appeals

VOUCHER NUMBER 310691

DATES HOURS AMOUNT

I. IN OPEN COURT (see affidavit attached)

DATES	HOURS	AMOUNT
A. ARRAIGNMENT &/OR PLEA		
B. MOTIONS & REQUESTS <u>6/1/76 - 6/4/76</u>	<u>4</u>	
C. BAIL HEARINGS		
D. SENTENCE HEARINGS		
E. TRIAL <u>8/10/76-9/10/76</u>	<u>107 1/2</u>	<u>30</u>
F. REVOCATION HEARINGS		
G. APPEALS COURT		
H. OTHER (Specify below) <u>8/9/76</u>	<u>3</u>	

pre-trial conference
TOTAL "IN COURT" HOURS 114 1/2 ▶ \$3,435.-

II. OUT OF COURT (see affidavit attached)

DATES	HOURS	AMOUNT
A. INTERVIEWS & CONFERENCES	<u>17</u>	
B. OBTAINING & REVIEWING RECORDS		
C. LEGAL RESEARCH & BRIEF WRITING	<u>106</u>	
D. INVESTIGATIVE & OTHER WORK (Specify) <u>visit to defts. residence</u>	<u>7</u>	<u>20</u>
E. TRAVEL TIME (during normal office hours only). (1) TO & FROM COURT (round trips under 1 hr not allowed) (2) OTHER TRAVEL TIME (Specify)		

TOTAL "OUT OF COURT" HOURS 130 ▶ \$2,600.-

TOTAL COMPENSATION FOR "IN COURT & OUT OF COURT" TIME ▶ \$6,035.01

III. ITEMIZED EXPENSES (Specify, per instruction sheet)

EXPENSES	AMT PER ITEM
<u>Xerox copies</u>	<u>\$ 15.31</u>
	<u>2.70</u>

TOTAL ITEMIZED EXPENSES ▶ \$ 18.01
TOTAL COMPENSATION & EXPENSES ▶ \$6,053.01

DEDUCT AMOUNTS
PREVIOUSLY PAID IF APPLICABLE
NET AMOUNT CLAIMED ▶ \$6,053.01

AMOUNT CERTIFIED/ APPROVED
\$3983.01
DATE 10/27/76

VOUCHER NUMBER 310691

AT TIME OF APPOINTMENT PLEASE TYPE OR PRINT CLEARLY THE NAME OF ATTORNEY OR ORGANIZATION (PAYEE) AND THE ADDRESS TO WHICH CHECK SHOULD BE MAILED

A 21

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

76Cr.324 (RTO)

v.

AFFIDAVIT IN SUPPORT OF
VOUCHER

LAWRENCE JOSEPH MITCHELL,

Defendant.

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

SIDNEY M. OFFER, being duly sworn, deposes and says:

1. I am the attorney for the above defendant and submit this affidavit in support of my voucher for compensation for services rendered pursuant to the Criminal Justice Act.

2. By permission of the Honorable Richard T. Owens, C.J.A. Counsel have been permitted to submit their vouchers at this time after a month on trial. The trial is still continuing.

* * * *

22. On August 10, 1976, the trial commenced and through September 10, 1976, I spent 20 days on trial for a total of 107 1/2 hours on trial as follows:

DATE	NO. OF HOURS
8/10/76	6
8/11/76	6
8/12/76	6 1/2
8/13/76	4 1/2
8/16/76	1
8/18/76	6
8/19/76	6
8/20/76	4
8/23/76	6
8/24/76	6
8/25/76	6
8/26/76	6
8/27/76	4 1/2
8/28/76	5-3/4
8/29/76	5
9/1/76	5 1/2
9/2/76	3
9/7/76	5-3/4
9/8/76	5 1/2
9/9/76	5-3/4
9/10/76	2

TOTAL

107 1/2

S/h for h

Sidney M. Offer
SIDNEY M. OFFER

Sworn to before me this

day of September, 1976.

Harry J. Berent
NOTARY PUBLIC

HARRY J. BERENT
Notary Public, State of New York
No. 3156750
Qualified in New York County
Commission Expires March 1, 1978